



January 23, 2004

HOUSE BILL No. 1070

DIGEST OF HB 1070 (Updated January 21, 2004 10:23 am - DI 47)

Citations Affected: IC 4-13.6; IC 5-10.3; IC 15-1.5; noncode.

Synopsis: Center for agricultural science and heritage. Changes the center for agricultural science and heritage to a corporate body separate from the state. Specifies that the center's assets, appropriations, fund balances, and liabilities are not affected by the conversion. Specifies that the members of the center's board of trustees remain trustees. Establishes certain personnel policies. Provides an exemption to the center from the law concerning certain public works contracts, policies, and practices.

Effective: July 1, 2004.

Bischoff, Ruppel, Goodin

January 13, 2004, read first time and referred to Committee on Appointments and Claims.
January 22, 2004, reported — Do Pass.

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January 23, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

HOUSE BILL No. 1070

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-13.6-2-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) This article
3 applies to every expenditure of public funds, regardless of their source,
4 including federal assistance money, by any governmental body for any
5 public works project.
6 (b) This article does not apply to the following:
7 (1) The Indiana commission for higher education.
8 (2) State educational institutions (as defined by IC 20-12-0.5-1).
9 (3) Military officers and military and armory boards of the state.
10 (4) The state fair commission.
11 (5) **The center for agricultural science and heritage (the barn).**
12 (6) Any entity established by the general assembly as a body
13 corporate and politic having authority and power to issue bonds
14 to be secured and repaid solely by revenues pledged for that
15 purpose. However, such an entity shall comply with this article if
16 the law creating the entity requires it to do so.
17 ~~(6)~~ (7) The Indiana department of transportation, except to the

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1 extent that the Indiana department of transportation uses the
2 services provided by the department under this article.

3 SECTION 2. IC 5-10.3-7-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) This section does
5 not apply to:

6 (1) members of the general assembly; or

7 (2) employees covered by section 3 of this chapter.

8 (b) An employee of the state or of a participating political
9 subdivision who:

10 (1) became a full-time employee of the state or of a participating
11 political subdivision in a covered position; and

12 (2) had not become a member of the fund;

13 before April 1, 1988, shall on April 1, 1988, become a member of the
14 fund unless the employee is excluded from membership under section
15 2 of this chapter.

16 (c) Any individual who becomes a full-time employee of the state
17 or of a participating political subdivision in a covered position after
18 March 31, 1988, becomes a member of the fund on the date the
19 individual's employment begins unless the individual is excluded from
20 membership under section 2 of this chapter.

21 (d) For the purposes of this section, "employees of the state"
22 includes:

23 (1) employees of the judicial circuits whose compensation is paid
24 from state funds;

25 (2) elected and appointed state officers;

26 (3) prosecuting attorneys and deputy prosecuting attorneys of the
27 judicial circuits, whose compensation is paid in whole or in part
28 from state funds, including participants in the prosecuting
29 attorneys retirement fund established under IC 33-14-9;

30 (4) employees in the classified service;

31 (5) employees of any state department, institution, board,
32 commission, office, agency, court, or division of state government
33 receiving state appropriations and having the authority to certify
34 payrolls from appropriations or from a trust fund held by the
35 treasurer of state or by any department;

36 (6) employees of any state agency which is a body politic and
37 corporate;

38 (7) employees of the board of trustees of the public employees'
39 retirement fund;

40 (8) persons who:

41 (A) are employed by the state;

42 (B) have been classified as federal employees by the Secretary

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of Agriculture of the United States; and
 (C) are excluded from coverage as federal employees by the
 federal Social Security program under 42 U.S.C. 410; ~~and~~
 (9) the directors and employees of county offices of family and
 children; **and**
(10) employees of the center for agricultural science and
heritage (the barn).

SECTION 3. IC 15-1.5-10.5-3 IS AMENDED TO READ AS
 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) The center for
 agricultural science and heritage (the barn) is established.

(b) **The barn:**

- (1) is a body corporate and politic separate from the state;**
- (2) is not a state agency; and**
- (3) performs essential governmental functions.**

(c) The following are the purposes for which the barn is established:

- (1) To educate the public concerning the past, present, and future of American agriculture and rural life.
- (2) To educate youth and the general public about American agriculture and food systems.
- (3) To provide educational programming for youth that complements school curricula, both onsite and in the classroom.
- (4) To create a synergy between Indiana's institutions of education and agriculture related industries.
- (5) To generate economic vitality, convention activity, and tourism activity for Indiana.
- (6) To become a center for agricultural business and thinking, a clearinghouse of agricultural information, a resource center for educators and the public, and a repository for agricultural artifacts and history.
- (7) To create a central, prominent partner with whom agricultural organizations can launch, collaborate on, and coordinate programs.
- (8) To position Indiana as the recognized agricultural center of the nation.

SECTION 4. IC 15-1.5-10.5-8.3 IS ADDED TO THE INDIANA
 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2004]: **Sec. 8.3. (a) The board of trustees**
shall:

(1) adopt:

- (A) rules under IC 4-22-2; or**
- (B) a policy;**

establishing a code of ethics for employees of the board of

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1 trustees; or

2 (2) decide it wishes to be under the jurisdiction and rules
3 adopted by the state ethics commission.

4 (b) A code of ethics adopted by rule or policy under this section
5 must be consistent with state law and approved by the governor.

6 SECTION 5. [EFFECTIVE JULY 1, 2004] (a) The center for
7 agricultural science and heritage established by IC 15-1.5-10.5-3,
8 a body corporate and politic under IC 15-1.5-10.5-3, as amended
9 by this act, is a continuation of the center for agricultural science
10 and heritage as it existed before July 1, 2004.

11 (b) The assets, appropriations, fund balances, and liabilities of
12 the center for agricultural science and heritage are not affected by
13 the conversion of the center for agricultural science and heritage
14 to an independent body corporate and politic under
15 IC 15-1.5-10.5-3, as amended by this act.

16 (c) The individuals serving as members of the board of trustees
17 of the center for agricultural science and heritage on June 30, 2004,
18 remain members of the board of trustees notwithstanding the
19 amendment of IC 15-1.5-10.5-3 by this act.

20 (d) This SECTION expires July 1, 2005.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Appointments and Claims, to which was referred House Bill 1070, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HARRIS, Chair

Committee Vote: yeas 12, nays 0.

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